

1 **Ralph Stephen Coppola**  
2 **4785 Rio Pinar Drive**  
3 **Reno, NV 89509**  
4 **Pro Se**  
5 **775 827 2344**

6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA - RENO**

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
FEB - 8 2012	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
DEPUTY	

8 **RALPH STEPHEN COPPOLA,**  
9 **COPPOLA ENTERPRISES, LLC, and**  
10 **RALPH STEPHEN COPPOLA,**  
11 **TRUSTEE OF THE R.S. COPPOLA**  
12 **TRUST, u/t/d 10/19/1995**

13 **Plaintiffs**

14 **vs.**

15 **DARREN K. PROULX, LAND**  
16 **RESOURCE INVESTMENTS,**  
17 **INC., LAND RESOURCE**  
18 **MANAGEMENT, INC., and**  
19 **MARINA COMMERCIAL OFFICES, LLC)**

20 **CASE NO.: 3:2011cv00074**

21 **MOTION TO REPRESENT COPPOLA**  
22 **ENTERPRISES, LLC BY MANAGING**  
23 **MEMBER**

24 COMES NOW, Ralph Stephen Coppola, a named Plaintiff, herein (hereinafter, "Coppola") who  
25 hereby respectfully files this Motion to Represent Coppola Enterprises, LLC by Managing  
26 Member ("Motion").

27 Ralph Stephen Coppola, solely in his capacity as the sole managing member of Coppola  
28 Enterprises, LLC ("CELLC"), a plaintiff herein, seeks leave of the Court to represent CELLC  
pursuant to the corporate democracy principles enunciated in *Citizens United v. Federal*  
*Election Commission*, 558 U.S. \_\_\_\_ (2010), rather than having to have the LLC hire outside  
counsel as required by Fed. R. Civ. P. 11 prior to *Citizens United v. Federal Election*  
*Commission*, 558 U.S. \_\_\_\_ (2010).

Under Fed. R. Civ. P. 11, "[e]very pleading, written motion, and other paper must be signed  
by at least one attorney of record in the attorney's name-or by a party personally if the party  
is unrepresented." Prior to *Citizens United v. Federal Election Commission*, 558 U.S. \_\_\_\_  
(2010), it was well established that a corporation could appear in the federal courts only

1 through licensed counsel. *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993).  
2 This rationale "applies equally to all artificial entities," *Rowland*, 506 U.S. at 202.

3  
4 That reasoning, however, has been faulty since the time of the decision of the Supreme  
5 Court, in *Dartmouth College v. Woodward*, 17 U.S. 518 (1819), which recognized corporations  
6 (and by analogy, LLCs) as having the same rights as natural persons to contract and to enforce  
7 contracts, and to set their own internal policies. Until recently, however, the Supreme Court,  
8 did not go so far as to recognize corporations as "persons," even though in *Santa Clara*  
9 *County v. Southern Pacific Railroad*, 118 U.S. 394 (1886), an insertion into that decision's head  
10 notes, by its no famous clerk, J.C. Bancroft Davis, led many to believe the Supreme Court had  
11 recognized corporations as persons for the purposes of the Fourteenth Amendment.

12  
13 In *Citizens United v. Federal Election Commission*, 558 U.S. \_\_\_\_ (2010), the court stated that  
14 "[i]ndeed, to exclude or impede corporate speech is to muzzle the principal agents of the  
15 modern free economy." By that token, to require a corporation, or LLC, to "speak" through  
16 an attorney in court, is to violate that corporation's, or LLC's first-amendment free-speech  
17 rights. On that basis, the requirement of *Rowland v. California Men's Colony*, 506 U.S. 194,  
18 201-02 (1993) that a corporation or LLC be represented by an attorney is implicitly overruled  
19 by *Citizens United v. Federal Election Commission*, 558 U.S. \_\_\_\_ (2010), which allows an LLC  
20 to speak for itself through its managing member. For that reason, CELLC must be allowed to  
21 be represented by Ralph Stephen Coppola in his capacity as its managing member.

22  
23 Dated:

Monday, February 06, 2012

24  
25  
26  
27  
28  
  
Ralph Stephen Coppola  
Plaintiff

CERTIFICATE OF MAILING

I hereby certify that on this 7<sup>th</sup> day of February, 2012, I deposited the foregoing to Represent Coppola Enterprises, LLC by Managing Member into the US Mail, Postage prepaid, addressed to:

Robert A. Koenig  
Ryan Kerbow  
Alessi & Koenig, LLC  
9500 W. Flamigo, Suite 205  
Las Vegas, NV 89147

A handwritten signature in black ink, appearing to read 'RSC', with a long horizontal flourish extending to the right.

Ralph Stephen Coppola